

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

GLEN LEON GUY,

Plaintiff,

v.

JOSEPH BICK, *et al.*,

Defendants.

Case No. 2:21-cv-00823-WBS-JDP (PC)

ORDER

On January 26, 2023, defendant Harf filed a motion to compel discovery responses and a motion to deem admissions admitted. ECF Nos. 47 & 48. Plaintiff has not filed a response.¹

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 2023).

¹ On March 24, 2023, plaintiff moved to extend the deadlines in the discovery and scheduling order by 120 days, ECF No. 49; defendants opposed, ECF No. 50. I granted that request in part, extending the discovery deadline to May 26 and the dispositive motion deadline to July 28. ECF No. 51. In the same order, I reminded plaintiff that defendant Harf had filed two discovery motions that required either his opposition or statement of non-opposition within twenty-one days of service. *Id.* at 1. I warned him that failure to file an opposition or statement of non-opposition could result in waiver and may also be grounds for sanctions. *Id.* This order constitutes plaintiff's second warning.

1 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer
2 justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291
3 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

4 Plaintiff will be given a chance to explain why the court should not dismiss the case for
5 his failure to timely file an opposition or statement of non-opposition to defendant's motions.
6 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and
7 will result in a recommendation that this action be dismissed. Accordingly, plaintiff is ordered to
8 show cause within twenty-one days why this case should not be dismissed for failure to prosecute
9 and failure to comply with court orders. Should plaintiff wish to continue with this lawsuit, he
10 shall file, within twenty-one days, an opposition or statement of non-opposition to defendant's
11 motion.

12 IT IS SO ORDERED.
13

14 Dated: May 12, 2023


15 JEREMY D. PETERSON
16 UNITED STATES MAGISTRATE JUDGE

17
18
19
20
21
22
23
24
25
26
27
28